



Bran C. Noonan

Akerman LLP
666 Fifth Avenue
20th Floor
New York, NY 10103
Tel: 212.880.3800
Fax: 212.880.8965

Dir: 212.259.6430
Dir Fax: 212.905.6404
bran.noonan@akerman.com

March 17, 2017

By ECF

The Honorable Alison J. Nathan
United States District Court
Southern District of New York
500 Pearl St.
New York, New York 10007

Re: Ndrecaju v. 4 A Kids LLC, et al. (Case No. 17 CV 639)(AJN)

Dear Judge Nathan,

We are counsel to defendant A & C Pine Properties ("A&C") in the above referenced matter. While A&C has not been served in this matter, we were generally aware of it and just checked the docket to learn that plaintiff voluntarily discontinued his action, which this Court affirmed in its Order dated February 28, 2017. However, because this action was brought as a collective/class action, plaintiff's counsel was, nevertheless, permitted to and did file an order to show cause on March 8, 2017 requesting that this Court retain subject matter jurisdiction over this matter, despite the fact that there is no plaintiff.

Given the fact that plaintiff's counsel's application by order to show cause would be the difference between this action moving forward in some form or ending now, A&C respectfully requests the right to submit opposition to the order to show cause. We would request eight days to submit A&C's opposition, which is the same amount of time provided to plaintiff's counsel to file its order to show cause.

Thank you for your consideration.

Respectfully submitted,

AKERMAN LLP

/s/ Bran Noonan

Bran C. Noonan

cc: plaintiff's counsel (by ECF)